

SENATE BILL 2292
By Ford

AN ACT to amend Tennessee Code Annotated, Title 3; Title 4; Title 6; Title 7; Title 8; Title 9; Title 12; Title 13; Title 16; Title 41; Title 43; Title 49; Title 50; Title 59; Title 63; Title 64; Title 65; Title 66; Title 67 and Title 68, and various other provisions, relative to the department of economic and community development.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1.

(a) The industrial development division within the department of economic and community development, or any successor of the division, is transferred to the department of commerce and insurance; provided, however, the Tennessee job skills program and the fast track job training assistance program, as well as any other employee training programs and services of the department of economic and community development, are transferred to the department of labor and workforce development.

(b) The community development division within the department of economic and community development, or any successor of the division, is transferred to the Tennessee housing development authority.

(c) The energy division within the department of economic and community development, or any successor of the division, is transferred to the department of environment and conservation.

(d) The state planning office within the department of economic and community development, or any successor of the office, is transferred to the department of finance and administration.

(e) The office of business enterprise within the department of economic and community development, or any successor of the office, as well as all departmental

programs and services to promote small and minority business growth, are transferred to the department of general services.

(f) The office of international affairs within the department of economic and community development, or any successor of the office, is transferred to the office of the governor.

(g) The department of economic and community development is hereby terminated.

SECTION 2. Tennessee Code Annotated, Section 3-2-110(b)(1), is amended by deleting the words "division of energy of the department of economic and community development" and by substituting instead the following:

division of energy of the department of environment and conservation

SECTION 3. Tennessee Code Annotated, Section 3-15-602, is amended by deleting the words "commissioner of economic and community development" and by substituting instead the following:

commissioner of commerce and insurance

SECTION 4. Tennessee Code Annotated, Section 4-3-101, is amended by deleting item (6).

SECTION 5. Tennessee Code Annotated, Section 4-3-104(k), is amended by deleting the words "industrial development division of the department of economic and community development" and by substituting instead the following:

industrial development division of the department of commerce and insurance

SECTION 6. Tennessee Code Annotated, Section 4-3-104(s), is amended by deleting the words "the department of economic and community development" and by substituting instead the following:

the department of finance and administration

SECTION 7. Tennessee Code Annotated, Section 4-3-111, is amended by deleting item (6).

SECTION 8.

(a) Tennessee Code Annotated, Section 4-3-113(l), is amended by deleting the words "the department of economic and community development" and by substituting instead the following:

the department of commerce and insurance

(b) Tennessee Code Annotated, Section 4-3-113(r), is amended by deleting the words "the commissioner of economic and community development" and by substituting instead the following:

the commissioner of finance and administration

SECTION 9. Tennessee Code Annotated, Title 4, Chapter 3, Part 7, is amended by deleting sections 701 through 705, inclusive.

SECTION 10. Tennessee Code Annotated, Sections 4-3-706 and 4-3-707, are amended by deleting the words "of economic and community development" and by substituting instead the following:

of commerce and insurance

SECTION 11. Tennessee Code Annotated, Section 4-3-708, is amended by deleting the words "The energy division has the duty" and by substituting instead the following:

The energy division of the department of environment and conservation has the duty

SECTION 12. Tennessee Code Annotated, Sections 4-3-728 and 4-3-729, are amended by deleting the words "the department of economic and community development" and by substituting instead the following:

the department of general services

SECTION 13.

(a) Tennessee Code Annotated, Section 4-3-730(a), is amended by deleting the subsection in its entirety and by substituting instead the following:

(a) It is the official policy of the department of economic and community development, and its successor entities as provided pursuant to this act, to maintain the principle of open records and, unless otherwise provided by this section or other law, the information and documents maintained, received, or

produced by such department, and its successor entities as provided pursuant to this act, shall be open for inspection by the public.

(b) Tennessee Code Annotated, Section 4-3-730, is amended by deleting the words "the department" and by substituting instead the following:

the department or its successor entity

(c) Tennessee Code Annotated, Section 4-3-730, is amended by deleting the words "the commissioner" and by substituting instead the following:

the commissioner or the administrative head of its successor entity

SECTION 14. Tennessee Code Annotated, Section 4-3-732, is amended by deleting the words "the department of economic and community development" and by substituting instead the following:

the department of general services

SECTION 15.

(a) Tennessee Code Annotated, Section 4-3-1003(a), is amended by adding the following language as a new, appropriately designated subdivision:

() The state planning office section;

(b) Tennessee Code Annotated, Section 4-3-1010(a), is amended by deleting the words, figures, and symbols "and by § 67-5-2505." and by substituting instead the following:

; by § 67-5-2505; and by title 9, chapter 16, §§ 54-4-203, 57-5-205, and 67-6-103.

SECTION 16. Tennessee Code Annotated, Section 4-3-1104(a), is amended by adding the following language as a new, appropriately designated subdivision:

() The business enterprise division;

SECTION 17. Tennessee Code Annotated, Section 4-3-1303, is amended by adding the following language as a new, appropriately designated subdivision:

() The industrial development division;

SECTION 18. Tennessee Code Annotated, Section 4-3-1404, is amended by deleting the words "the department of economic and community development".

SECTION 19. Tennessee Code Annotated, Section 4-3-5003(a), is amended by deleting subdivision (3).

SECTION 20. Tennessee Code Annotated, Title 4, Chapter 14, Part 1, is amended by deleting the words "of economic and community development" and by substituting instead the following:

of commerce and insurance

SECTION 21.

(a) Tennessee Code Annotated, Title 4, Chapter 14, Part 2, is amended by deleting the words "of economic and community development" and by substituting instead the following:

of commerce and insurance

(b) Tennessee Code Annotated, Title 4, Chapter 14, Part 3, is amended by deleting the words "of economic and community development" and by substituting instead the following:

of commerce and insurance

(c) Tennessee Code Annotated, Title 4, Chapter 14, Part 4, is amended by deleting the words "of economic and community development" and by substituting instead the following:

of commerce and insurance

SECTION 22.

(a) Tennessee Code Annotated, Title 4, Chapter 26, Part 1, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of general services

(b) Tennessee Code Annotated, Title 4, Chapter 26, Part 1, is amended by deleting the words "commissioner of economic and community development" and by substituting instead the following:

commissioner of general services

(c) Tennessee Code Annotated, Title 4, Chapter 26, Part 1, is amended by deleting the words "office of business enterprise" and by substituting instead the following:

division of business enterprise

SECTION 23. Tennessee Code Annotated, Section 4-29-226(a), is amended by deleting item (33).

SECTION 24.

(a) Tennessee Code Annotated, Title 4, Chapter 49, Part 1, is amended by deleting the words "of economic and community development" and by substituting instead the following:

of veterans affairs

(b) Tennessee Code Annotated, Title 4, Chapter 49, Part 1, is amended by deleting the words "commissioner of economic and community development" and by substituting instead the following:

commissioner of veterans affairs

SECTION 25.

(a) Tennessee Code Annotated, Section 6-58-104, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of finance and administration

(b) Tennessee Code Annotated, Section 6-58-109(a), is amended by deleting the words "the department of economic and community development" and by substituting instead the following:

the state

SECTION 26.

(a) Tennessee Code Annotated, Section 7-53-305, is amended by deleting the words "commissioner of economic and community development" and by substituting instead the following:

commissioner of commerce and insurance

(b) Tennessee Code Annotated, Section 7-53-307, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of commerce and insurance

SECTION 27. Tennessee Code Annotated, Section 7-53-313, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of general services

SECTION 28. Tennessee Code Annotated, Section 7-55-105, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of commerce and insurance

SECTION 29. Tennessee Code Annotated, Section 7-88-108, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of commerce and insurance

SECTION 30.

(a) Tennessee Code Annotated, Section 8-23-101, is amended by deleting subsection (e).

(b) Tennessee Code Annotated, Section 8-24-102(c), is amended by deleting the words "as provided in this subsection (c)".

(c) Tennessee Code Annotated, Section 8-24-102(c), is amended by deleting the words "or in a manner directed by and satisfactory to the commissioner of economic and community development".

(d) Tennessee Code Annotated, Section 8-24-102(c), is amended by deleting the words "or the commissioner of economic and community development".

SECTION 31.

(a) Tennessee Code Annotated, Section 9-16-101, is amended in the second sentence by deleting the words and punctuation "the department of economic and community development." and by substituting instead the following:

the department of finance and administration.

(b) Tennessee Code Annotated, Section 9-16-101, is amended in the final sentence by deleting the words "or the department of economic and community development"

SECTION 32. Tennessee Code Annotated, Section 9-20-103, is amended by deleting the words "the department of economic and community development" and by substituting instead the following:

the department of finance and administration.

SECTION 33. Tennessee Code Annotated, Section 9-21-105(21)(B)(i), is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of commerce and insurance

SECTION 34. Tennessee Code Annotated, Title 12, Chapter 3, Part 8, is amended by deleting the words "within the department of economic and community development".

SECTION 35. Tennessee Code Annotated, Title 13, Chapter 3, Part 1, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of finance and administration

SECTION 36. Tennessee Code Annotated, Section 13-3-201, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of finance and administration

SECTION 37. Tennessee Code Annotated, Section 13-3-304, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of finance and administration

SECTION 38. Tennessee Code Annotated, Title 13, Chapter 3, Part 4, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of finance and administration

SECTION 39. Tennessee Code Annotated, Title 13, Chapter 14, Part 1, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of finance and administration

SECTION 40. Tennessee Code Annotated, Section 13-16-301, is amended by deleting the words "economic and community development" and by substituting instead the following:

commerce and insurance

SECTION 41. Tennessee Code Annotated, Section 13-18-102, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of environment and conservation

SECTION 42. Tennessee Code Annotated, Section 13-23-406(7), is amended by deleting the words and punctuation "In conjunction with the department of economic and community development, support" and by substituting instead the following:

Support

SECTION 43. Tennessee Code Annotated, Section 16-15-5001(b), is amended by deleting the words "or any special census conducted by the department of economic and community development".

SECTION 44. Tennessee Code Annotated, Section 41-22-116(c), is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of commerce and insurance

SECTION 45. Tennessee Code Annotated, Section 43-33-102(a)(1)(D), is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of commerce and insurance

SECTION 46. Tennessee Code Annotated, Section 49-7-2902, is amended by deleting the words "economic and community development" and by substituting instead the following:

commerce and insurance

SECTION 47. Tennessee Code Annotated, Title 49, Chapter 9, Part 4, is amended by deleting the words "economic and community development" and by substituting instead the following:

commerce and insurance

SECTION 48. Tennessee Code Annotated, Section 50-7-451, is amended by deleting the words "of economic and community development" and by substituting instead the following:

of labor and workforce development

SECTION 49. Tennessee Code Annotated, Section 59-13-106, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of environment and conservation

SECTION 50. Tennessee Code Annotated, Section 63-6-606, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of general services

SECTION 51. Tennessee Code Annotated, Section 64-3-104, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of finance and administration

SECTION 52. Tennessee Code Annotated, Section 64-8-104, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

United States census bureau

SECTION 53. Tennessee Code Annotated, Section 65-5-213, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of general services

SECTION 54. Tennessee Code Annotated, Section 66-9-204, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of environment and conservation

SECTION 55.

(a) Tennessee Code Annotated, Section 67-4-2109, is amended by deleting the words "commissioner of economic and community development" and by substituting instead the following:

commissioner of finance and administration

(b) Tennessee Code Annotated, Section 67-4-2109, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of finance and administration

SECTION 56. Tennessee Code Annotated, Section 68-202-602, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of commerce and insurance

SECTION 58.

(a) Tennessee Code Annotated, Section 68-201-104, is amended by deleting the words "commissioner of economic and community development" and by substituting instead the following:

commissioner of commerce and insurance

(b) Tennessee Code Annotated, Section 68-211-111, is amended by deleting the words "commissioner of economic and community development" and by substituting instead the following:

commissioner of commerce and insurance

(c) Tennessee Code Annotated, Section 68-211-826, is amended by deleting the words "department of economic and community development" and by substituting instead the following:

department of environment and conservation

SECTION 59. In order to reflect the intent and purpose of this act, the Tennessee code commission is hereby authorized, throughout the code, to modify other references to the "department of economic and community development" or the "commissioner of economic and community development".

SECTION 60. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 61. This act shall take effect July 1, 2004, the public welfare requiring it.